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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
ELIZABETH HOLMES and RAMESH  
“SUNNY” BALWANI,  
Defendants.

) Case No. 18-CR-00258 EJD  
)  
) UNITED STATES’ OPPOSITION TO  
) DEFENDANTS’ MOTION TO DISMISS  
) SECOND AND THIRD SUPERSEDING  
) INDICTMENTS AND, IN THE ALTERNATIVE,  
) FOR A BILL OF PARTICULARS  
) [DKT 500 & 505]  
)  
) Date: October 6, 2020  
) Time: 10:00 a.m.  
) Court: Hon. Edward J. Davila  
)

On top of five other motions filed on August 28, 2020, Defendants have filed a “Motion to Dismiss Second And Third Superseding Indictments and, in the Alternative, for a Bill of Particulars” that purports to “restate[] and incorporate[] by reference” their prior motions to dismiss the Superseding Indictment. Dkt. 500 & 505. Essentially, they seek reconsideration of the Court’s February 11, 2020 Order on their prior motions. Dkt. 330. Defendants make no attempt, however, to meet the standards for reconsideration. The Court should decline the invitation to reconsider its 39-page Order and deny

1 the motion. The government hereby reasserts and incorporates by reference its oppositions to  
2 Defendants' prior motions to dismiss. Dkt. 265, 266, 267.

3 DATED: September 18, 2020

Respectfully submitted,

4 ADAM A. REEVES  
5 Attorney for the United States,  
6 Acting Under Authority Conferred  
By 28 U.S.C. § 515

7 /s/

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